

United States Courts
Southern District of Texas
FILED

A091 (Rev. 8/01) Criminal Complaint

APR 27 2018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Alfonso Solis-Armijo

CRIMINAL COMPLAINT

Case Number:

2:18mj533

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about April 25, 2018 in Kenedy County, in the
(Date)
Southern District of Texas defendant, **Alfonso Solis-Armijo**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the
Official Title
following facts:

See Attached Affidavit of U.S. Border Patrol Agent

Juan Rojas

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

April 27, 2018

Date

B. Janice Ellington U.S. Magistrate Judge

Name and Title of Judicial Officer

1:30 pm

at

Juan Rojas

Signature of Complainant

Juan Rojas

Printed Name of Complainant

Corpus Christi, Texas

City and State

Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

FACTS/PROBABLE CAUSE:

On April 25, 2018, an agent was performing his assigned primary inspection duties at the United States Border Patrol Checkpoint near Sarita, Texas. At approximately 6:10 pm, a minivan approached primary and stopped. The driver, later identified as SOLIS-Armijo, Alfonso, was asked him if he was a United States Citizen to which he responded that he was. He was asked if he had any form of identification and he handed the agent a Texas identification card. When SOLIS handed the card to the agent, the agent noticed his hand trembling. SOLIS was requested for a driver's license, a passport, or a birth certificate; however, SOLIS stated that he did not have any thing.

SOLIS was questioned about his destination and he said to San Antonio to see his sister. He tried handing the agent a paper that contained information about his sister who had surgery at a hospital in San Antonio back in February. When SOLIS held the paper out toward the agent, he noticed that his hand was trembling even more than the previous. SOLIS began to exhibit strong evidence of criminal behavior by the support of the inclusion of biological influences demonstrated by him.

The primary agent asked SOLIS for permission to open the side door of his van and he consented. The agent noticed there were few possessions inside. He also saw a small cooler that contained several 12 ounce cans of sprite and ice. Bags of chips were lying on the center of the van between the front and middle rows of seats. The presence of the food and drinks, along with SOLIS' nervous behavior made the primary agent to believe he was possibly picking up illegal aliens north of the checkpoint.

As the agent was asking SOLIS questions, the K9 agent informed him that his canine partner had alerted to the vehicle and he requested that it be placed in the secondary inspection area. At that point the primary agent asked for and received consent from SOLIS to search his vehicle. The agent informed him where to park and he complied.

Once in the secondary inspection area, the K9 agent began performing a search of the vehicle. The K9 once again alerted to the rear cargo hatch. The K9 was allowed inside the vehicle and alerted to the rear cargo area. The K9 agent lifted up an aftermarket board that was designed to look like the van's actual floor. Under the board was one concealed human. The K9 agent also opened the floor hatch of the van's Stow-n-Go seating storage area. Upon opening the hatch the K9 agent discovered one person hiding in the storage area as well. Agents established that the hidden person under the board is an undocumented alien from Honduras and the hidden person in the Stow-n-Go area is an undocumented alien from Mexico.

MIRANDA WARNINGS:

Principal: Alfonso SOLIS-Armijo

Alfonso SOLIS-Armijo was read his Miranda Rights and Warnings in his preferred language of English, as per Service Form CBP I-214. SOLIS signed the form stating that he read and understood his rights and was not willing to waive his rights to answer any questions without the presence of a lawyer.

MIRANDA WARNINGS:

Material Witness: Jose Guadalupe Rodriguez-Cleofas

Jose Guadalupe Rodriguez-Cleofas was read his Miranda Rights and Warnings in his preferred language, as per Service Form CBP I-214. Rodriguez signed the form stating that he read and understood his rights and was not willing to waive his rights to answer any questions without the presence of a lawyer.

MIRANDA WARNINGS:

Material Witness: Adelmo De Jesus Garcia-Ortiz

Adelmo De Jesus Garcia-Ortiz was read his Miranda Rights and Warnings in his preferred language, as per Service Form CBP I-214. Garcia signed the form stating that he read and understood his rights and was willing to make a statement without the presence of a lawyer.

VIDEO STATEMENT BY MATERIAL WITNESS:

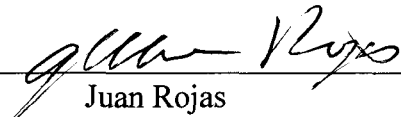
Adelmo De Jesus Garcia-Ortiz

Adelmo De Jesus Garcia-Ortiz stated that he crossed the Rio Grande River into the United States a week ago from date of arrest. GARCIA stated a person took him and the rest of the group to a stash house in an unknown part of McAllen, Texas. GARCIA stated that SOLIS came to the stash house and personally asked for him and RODRIGUEZ by name. SOLIS instructed them to get in his vehicle.

According to GARCIA, they drove for approximately a half hour until they arrived at another house where they switched vehicles. They all got into the van that they were encountered in at the checkpoint. GARCIA stated that SOLIS informed him and RODRIGUEZ that they were going to be taken to Houston, Texas for the cost of \$2,000. SOLIS instructed GARCIA to hide back in the cargo area and that he would have to lift up the board in order to conceal himself. GARCIA stated that SOLIS helped RODRIGUEZ get into the Stow-n-Go storage area. GARCIA further stated that he and RODRIGUEZ were in their respective hiding places from the house until they were discovered at the checkpoint.

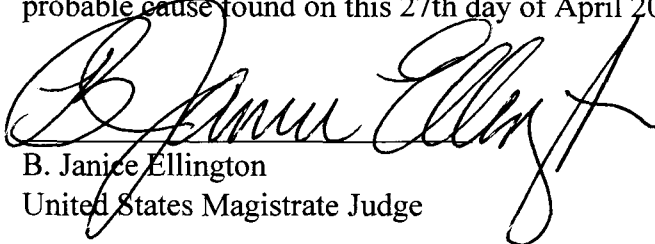
DISPOSITION:

The facts of this case were presented to Assistant United States Attorney Julie Hampton who accepted prosecution on Alfonso SOLIS-Armijo for violating Title 8 USC 1324, alien smuggling. Jose Guadalupe Rodriguez-Cleofas and Adelmo De Jesus Garcia-Ortiz are being held as material witnesses in this case.



Juan Rojas
Border Patrol Agent

Sworn to before me, signed in my presence, and
probable cause found on this 27th day of April 2018.



B. Janice Ellington
United States Magistrate Judge